

REGISTER



South Dakota Legislative Research Council

Volume 38

Monday, 8:00 a.m., June 11, 2012

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Labor and Regulation: Division of Insurance: (June 5, 2012) intends to amend rules to incorporate the new 2012 Medicare coverage amounts and allow for insurers to utilize persons other than insurance agents to complete applications for insurance. The general authority for these rules, as cited by the department, is SDCL §§ 58-17A-2 and 58-17B-4.

A public hearing will be held in the Main Floor Conference Room, Anderson Building, Pierre, South Dakota, on June 21, 2012, at 9:00 a.m. Paper copies of the proposed rules may be obtained without charge from and written comments sent to the Division of Insurance, Administrative Rules, 445 E. Capitol Avenue, Pierre, South Dakota 57501-3185. The text of the proposed rules will be posted on the department's website:

http://dlr.sd.gov/insurance/legal/public_hearings.aspx. The rules may also be obtained as a Microsoft Word attachment by emailing melissa.kleemann@state.sd.us. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3563 at least 48 hours before the hearing.

Bureau of Administration: (June 8, 2012) intends to amend rules to increase the maximum fees chargeable for legal publications required by state law. The general authority for these rules, as cited by the bureau, is SDCL § 17-2-19.

A public hearing will be held in Room 412, 4th Floor of the State Capitol, Pierre, South Dakota, on July 3, 2012, at 10:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the Bureau of Administration, 500 East Capitol, Pierre, South Dakota 57501-1234. Written comments must be received by July 2, 2012, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the office can make arrangements are asked to call (605) 773-3688 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF LABOR AND REGULATION: DIVISION OF

INSURANCE: 20:06:12:07; 20:16:18:09; 20:06:19:04; 20:06:25:01, 20:06:25:01.01, 20:06:25:01.02, 20:06:25:02; 20:06:26:01; 20:06:36:01, 20:06:36:04, and 20:06:36:05.

History-Notice: 38 SDR 171, April 9, 2012
Hearing: May 2, 2012
Filed: June 5, 2012
Effective: June 25, 2012

DEPARTMENT OF AGRICULTURE: DIVISION OF AGRICULTURAL

SERVICES: 12:05:01:01; 12:05:06:06; 12:05:07:10; 12:05:14:01 to 12:05:14:03, inclusive.

History-Notice: 38 SDR 155, March 19, 2012
Hearing: April 11, 2012
Filed: June 6, 2012
Effective: June 26, 2012

**DEPARTMENT OF AGRICULTURE: SD
WEED AND PEST CONTROL
COMMISSION: 12:62:03:01.07.**

Filed: June 7, 2012
Effective: July 1, 2012

History-Notice: 38 SDR 155, March 19, 2012
Hearing: April 11, 2012
Filed: June 6, 2012
Effective: June 26, 2012

**SECRETARY OF STATE: BOARD OF
FINANCE: 5:01:02:14.**

History-Notice: 38 SDR 165, April 2, 2012
Hearing: April 17, 2012

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

6-12-2012	Governor's Office of Economic Development: Board of Economic Development	Amend rules to provide for a permanent credit committee, along with other committees, of the Board of Economic Development, and to grant certain powers to the credit committee; and to repeal the Tourism Enhancement Program; 38 SDR 205.
6-14-2012	Social Services: Division of Medical Services	Amend rules to update and clarify the basis of reimbursement for inpatient services and certain outpatient services and replace the term "average wholesale price" with "consolidated price;" 38 SDR 209.
6-15-2012	Attorney General: 24/7 Sobriety Program	Amend rules to change the time period for inspection and calibration testing of ignition interlock devices and amend the monitoring fees of ignition interlock devices; 38 SDR 204.
6-21-2012	Transportation	Amend rules to extend a 25 mile per hour limited speed zone on U.S. Highway 83 entering Mound City further north and correct a legal description; and create a 45 mile per hour limited speed zone on State Trunk Highway 248 through Draper and correct a legal description; 38 SDR 213.
6-21-2012	Labor and Regulation: Division of Insurance	Amend rules to incorporate the new 2012 Medicare coverage amounts and allow for insurers to utilize persons other than insurance agents to complete applications for insurance; 38 SDR 219.
6-26-2012	Transportation: Aeronautics Commission	Amend rules to eliminate a definition for "private commercial airport," add a definition for "publicly owned airport," and revise the definitions of "public airport" and "private

		airport;" clarify the requirement concerning licensing or approval by the Aeronautics Commission of public airports and any private airport, landing field, or heliport located within two miles of the nearest boundary of any other approved airport; and repeal a rule which sets minimum requirements for private commercial airports; 38 SDR 199.
6-27-2012	Agriculture: State Brand Board	Adopt rules to increase the fee for replacing a duplicate brand certificate and increase the per head inspection fee for livestock ownership inspection; 38 SDR 204.
7-3-2012	Bureau of Administration	Amend rules to increase the maximum fees chargeable for legal publications required by state law; 38 SDR 219.
9-7-2012	Tourism: State Historical Society	Amend rules to set standard fees for services provided by the State Historical Society; revise the State Historic Preservation Office's review and handling of property tax moratorium applications; and alter when recipients of Deadwood Fund preservation grants from the State Historic Preservation Office must file the required preservation covenant for the grant; 38 SDR 199.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, July 10, 2012, in Room 414, Fourth Floor, of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2012 interim: August 14, September 18, November 13, and December 18.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 38 are \$25. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at <http://legis.state.sd.us>. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at **MyLRC** (<http://legis.state.sd.us/mylrc/index.aspx>).